



Atty. Dkt. No. 029318-01

RECEIVED
NOV 28 2001
TECH CENTER 1600/2900

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Bosch et al.

Title: DRY POWDER AEROSOLS OF
NANOPARTICULATE DRUGS

Appl. No.: 09/190,138

Filing Date: 11/12/1998

Examiner: T. D. Ware

Art Unit: 1615

AMENDMENT TRANSMITTAL

Commissioner for Patents
Washington, D.C. 20231

Sir:

Transmitted herewith is an amendment in the above-identified application.

- ☐ Small Entity status under 37 C.F.R. § 1.9 and § 1.27 has been established by a Small Entity statement previously submitted.
- ☐ Small Entity statement is enclosed.
- ☒ The fee required for additional claims is calculated below:

	Claims as Amended	Previously Paid For	Extra Claims Present	Rate	Additional Claims Fee
Total Claims:	114	102	12	x \$18.00	\$216.00
Independents:	7	7	0	x \$84.00	\$0.00
First presentation of any Multiple Dependent Claims:				+ \$280.00	\$280.00
CLAIMS FEE TOTAL:					\$496.00

- ☐ Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

<input type="checkbox"/>	Extension for response filed within the first month:	\$110.00	\$0.00
<input type="checkbox"/>	Extension for response filed within the second month:	\$400.00	\$0.00
<input type="checkbox"/>	Extension for response filed within the third month:	\$920.00	\$0.00
<input type="checkbox"/>	Extension for response filed within the fourth month:	\$1,440.00	\$0.00
<input type="checkbox"/>	Extension for response filed within the fifth month:	\$1,960.00	\$0.00
	EXTENSION FEE TOTAL:		\$0.00
	CLAIMS AND EXTENSION FEE TOTAL:		\$496.00
<input type="checkbox"/>	Small Entity Fees Apply (subtract ½ of above):		\$0.00
	TOTAL FEE:		\$496.00

- ☐ Please charge Deposit Account No. 19-0741 in the amount of \$496.00. A duplicate copy of this transmittal is enclosed.
- ☒ A check in the amount of \$496.00 is enclosed.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date Nov 27, 2001

By Michele M. Simkin

FOLEY & LARDNER
Washington Harbour
3000 K Street, N.W., Suite 500
Washington, D.C. 20007-5109
Telephone: (202) 672-5538
Facsimile: (202) 672-5399

Michele M. Simkin
Attorney for Applicant
Registration No. 34,717



Atty. Dkt. No.: 2978-109

TECH CENTER 1600/2900

NOV 28 2001

RECEIVED

Applicant: Bosch et al.

Title: DRY POWDER AEROSOLS OF
NANOPARTICULATE DRUGS

Appl. No.: 09/190,138

Filing Date: 11/12/1998

Examiner: T. D. Ware

Art Unit: 1615

17/D
Suggs
11-3001

AMENDMENT UNDER 37. C.F.R. § 1.111

Commissioner for Patents
Washington, D.C. 20231

Sir:

This communication is responsive to the Office Action dated August 27, 2001,
concerning the above-referenced patent application.

In the Claims:

In accordance with 37 C.F.R. § 1.121, please substitute for claims 26, 27, 34-36, 43-45, and 52 the following rewritten versions of the same claims, as amended. The changes are shown explicitly in the attached "Version with Markings to Show Changes Made."

14. (Amended) The aerosol composition of claim 11, wherein the drug is selected from the group consisting of proteins, peptides, elastase inhibitors, analgesics, cystic-fibrosis therapies, asthma therapies, emphysema therapies, respiratory distress syndrome therapies, chronic bronchitis therapies, chronic obstructive pulmonary disease therapies, organ-transplant rejection therapies, therapies for tuberculosis and other infections of the lung, fungal infection therapies, and respiratory illness therapies associated with acquired immune deficiency syndrome, an oncology drug, an anti-emetic, and a cardiovascular agent.

11/28/2001 GTEFFERA 00000118 09190138

01 FC:103
02 FC:104

216.00 OP
280.00 OP